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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,884	03/15/2004	Kyong Jai Choi	P69613US0	8352
.43569 7590 04/21/2006 MAYER, BROWN, ROWE & MAW LLP 1909 K STREET, N.W. WASHINGTON, DC 20006			EXAMINER GRAYSAY, TAMARA L	
			ART UNIT 3636	PAPER NUMBER

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/799,884

Applicant(s)

CHOI, KYONG JAI

Examiner

Tamara L. Graysay

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because of the following:
  - a. They fail to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 32 (FIGS. 3 and 4).
  - b. They fail to comply with 37 CFR 1.84(u)(2) because the view numbers are not larger than the numbers used for reference characters.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Specification*

2. The disclosure is objected to because of the following informalities:

P.5, L.16: "If take a look" should be Looking to correct a grammatical error.

Appropriate correction is required.

*Claim Objections*

3. Claim 1 is objected to because of the following informalities:
- a. Line 2: “the corner portion” should be a corner in order to distinguish the corner of the assembled tent from a corner portion of the tent fabric.
  - b. Line 3: “the” should be two for clarity.
  - c. Line 5: in a direction should be inserted after formed for clarity of the term opposite and its relationship to an inner direction.
  - d. Line 6: “a corner portion” should be one of the corner portions to provide a relationship with the previously recited corner portions.
  - e. Line 8: “which is” should be having two ends to clarify the intent of the claim as to the structure of the waterproof-coated member.
  - f. Line 8: “after” should be wherein to positively recite structure rather than infer a process step.
  - g. Line 9: each of said “second receptacle” should be said second receptacle, respectively.
  - h. Line 10: “which is” can be deleted; and line 11, “while” can be changed to thereby to positively recite structure rather than infer a process step.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Andre (FR-2672075) in view of applicant's Admission (FIGS. 1-4).

Claim 1: Andre (FR-2672075) discloses a tent corner having a stake loop attached within an inwardly oriented corner seam. The Andre stake strap ends are connected to the vertical sidewalls rather than the outer surface of the tent at the sidewall and the floor.

The Admission depicts a tent stake strap connected to the sidewall and the floor of the tent. The lateral (rather than vertical) orientation of the stake strap connection to the tent would help to prevent water from running into the vertical seam.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the stake strap of Andre to attach to the outside of the tent wall and to be oriented 90 degrees from the position shown in the figures, such as suggested by the Admission, in order to help to prevent water from running into the vertical seam.

The examiner takes Official notice that the use of waterproof material is a well known expedient for sealing seams, both internally and externally of the seam, in the field of outdoor recreation, including clothing and outdoor equipment. Such an arrangement would protect a person or equipment from environmental elements,

including rain and snow. For example, seam tape was commonly used for rain suit seams to keep out rain.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify further the Andre and Admission combination to include waterproof material at the seams or sewing lines, such as that which is well known in the field of outdoor recreation, in order to protect a person or equipment from the elements including rain and snow.

*Conclusion*

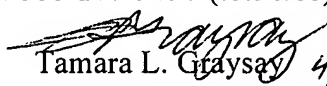
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Melk (US-5848734) teaches a seam having a waterproof configuration (e.g., FIG. 4).
- Izard (US-2192314) teaches a moistureproof material.
- Cantwell (US-2004/0173251) teaches a waterproof tent stake skirt.
- Daust (US-2661785) teaches an insulated bag having an inner layer folded in an outward direction and an outer layer that is folded in an opposite or inward direction (FIG. 3).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara L. Graysay whose telephone number is 571-272-6728. The examiner can normally be reached on Mon - Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Cuomo, can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Tamara L. Graysay  
Examiner  
Art Unit 3636

4/17/06